

UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

United States of America

v.

Jeffery Phuchao Vo

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Case No. 1:22-mj

14-RHWR

ARTHUR JOHNSTON, CLERK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 9, 2022 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1)	Possession with Intent to Distribute a Controlled Substance, to wit, MDMA, commonly known as a Ecstasy, a schedule II controlled substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein by reference.

 Continued on the attached sheet.

Adrien C. Thomas, SA, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: FEB. 10, 2022

Judge's signature

City and state: Gulfport, Mississippi

Robert H. Walker, United States Magistrate Judge

Printed name and title

Affidavit in support of a Criminal Complaint

Adrien Thomas

Your Affiant, Ernest Taylor, being duly sworn, deposes and states the following:

I am a Task Force Officer with the United States Drug Enforcement Administration (DEA). I have been employed as a Task Force Officer (TFO) with DEA since May of 2018. My primary duties at the DEA Task Force include the investigation of organized narcotics traffickers. I have participated in numerous narcotics investigations, during the course of which I have conducted or participated in physical and wire surveillances, including previous Title III investigations, undercover transactions, the introduction of undercover agents, the execution of search warrants, debriefing of informants, and reviews of taped conversations and drug records. I have also been the Affiant for multiple search warrants and arrest warrants. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs are transported, stored, and distributed and the methods of payments for such drugs.

1. This affidavit is based on information from law enforcement agents and sources and on my examination of various reports, evidence and records. This is being submitted for the limited purpose of establishing probable cause to support issuing a criminal complaint. It does not include all the facts that have been learned during the course of this investigation.
2. Based on personal knowledge and information I received from various law enforcement sources I am aware of the following facts:

1. On or about September 2021, the United States Drug Enforcement Administration (DEA) Gulfport Resident Office (GRO) received information from a confidential source in regards to Jeffery VO, who resides in Biloxi, trafficking MDMA pills. Utilizing this confidential source, agents were able to purchase approximately 100 MDMA pills from VO who delivered them in his Lexus GS 350 bearing MS Tag bearing HAM 4029. Post operation surveillance was executed where agents followed VO back to his residence at 13337 Alpine Drive in Biloxi, MS.
2. Over the course of this investigation, Agents were able to introduce a DEA undercover to VO and began to establish communication with VO in an effort to further the operation. In December of 2021, the undercover met VO at his place of employment, the Beau Rivage Casino, for another controlled purchase of approximately 100 MDMA pills. Upon his arrival, VO instructed the undercover to get inside his vehicle where the purchase took place. After the deal, the undercover exited the vehicle and VO headed back inside of the casino.
3. On 1/4/2022 the undercover advised VO that he was leaving to go out of town and asked VO if he could meet with him to get samples of new MDMA Pills, which VO agreed. Agents established surveillance on VO's residence located at 13337 Alpine Dr. at approximately 5:00 p.m. in preparation for him to meet with his SOS prior to meeting the UC. At approximately 5:11 p.m. VO messaged the undercover that his source was picking up the pills from someone else and was going to meet with VO to give it to him. At 5:43 p.m. SA Thomas observed VO's vehicle, a black Lexus sedan, exit the garage and leave the neighborhood. Shortly after VO texted the undercover and asked if he could meet him at Adventures Pub in Biloxi. VO further stated his source only had two pills for samples on him, one purple and one blue. The UC met with VO and obtained the pills from VO. The red pill was found to test positive for methamphetamine, benzedrone, and caffeine. The blue pill was found to contain trace amounts

of methamphetamine, N-ethylpentylone,

4. On 2/9/2022, the undercover contacted VO in an effort to acquire a large amount of MDMA pills in hopes that VO would have to leave his residence on Alpine Drive and travel to his source of supply's residence. The undercover advised VO that he wanted 1000 pills total with VO replying that he only had approximately 300 on hand at his residence. VO went as far as to advise the undercover to come to his residence so that he can put the money through his money counter and have one of his associates check and make sure the bills were not counterfeit. VO also advised the undercover that he has provided his address prior through the signal application.
5. Based on the above information TFO Taylor obtained a State of Mississippi search warrant for VO's residence, 13337 Alpine Drive, Biloxi, Mississippi, 39532. Prior to the execution of the search warrant VO left the residence to meet the UC to sell the 300 MDMA pills. Biloxi PD Narcotics Agents assisted in conducting a stop on VO and made contact with him. During the stop VO became violent by actively trying to get away and kicking at Agents who were trying to remove him from the vehicle. Once Agents removed VO from the vehicle Agents discovered a loaded 9mm Springfield handgun on the floor board and an orange pill bottle containing approximately 100 MDMA pills on the center console in plain view. VO was advised of his rights per Miranda, which he stated he understood, and was advised he was under arrest for Possession with Intent to Distribute MDMA. Upon searching VO's person Agents discovered 2 clear bags containing 200 MDMA pills in his right pants pocket.
6. VO was transported to the Biloxi PD and his vehicle transported to the Biloxi PD impound lot to await seizure processing. Agents then executed the search warrant at VO's residence where agents ultimately seized an undetermined amount of Schedule I and II pills that have total package weight of approximately 621.58g. Agents were unable to get a full and accurate amount of pills, being that some were crushed and/or uncountable. Agents will await on the crime lab return for the accurate amount seized. A narcotics mass spectrometer device was used to test the assorted pills yielding a positive return for trace amounts of MDMA and methamphetamine, Agents also seized approximately 466.67g of marijuana, approximately 44.41g of cocaine, bulk THC cartridges with a total weight of 4,351.8g (with each cartridge containing 1000mg), and approximately 1 dosage unite of LSD "acid", and an undetermined amount of US Currency.
7. Based upon the foregoing information, my training and experience, I submit this information supports probable cause to believe Jeffery Phuchao VO violated Title 21, United States Code, Section 841(a)(1), possession with intent to distribute a controlled substance, in the Southern District of Mississippi.



Adrien C. Thomas, Special Agent
Department of Justice
Drug Enforcement Administration

Sworn and subscribed before me this 10 day of February 2022.



Robert J. Wallace
United States Magistrate Judge